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The CIA and the Press

LEAVE it to the CIA. Just when people start throwing rocks at the press, CIA Director Stansfield Turner thinks it would be clever for his spooks to hide behind reporters.

Speaking at the National Press Club, Mr. Turner decided to pull a new kind of cloak over his agency's

By Garry Wills

daggers—the cloak of the First Amendment. The argument was cute—we're all in the same boat, fellows; you don't want to reveal your sources, and we don't want to reveal ours. So don't bug us, and we won't bug you.

Neat. But the CIA does not want to keep only its sources secret. It has proved, in recent years, how far it will go to keep its crimes secret. And even when it acts within the law, the agency is an arm of the government, with all the government's power to coerce. The CIA does not investigate with publication in mind. Its tendency is to hide governmental wrongs, not expose them.

In all these ways, the press and the CIA have different motives and justification for protecting sources. Yet having made his shaky identification of the two institutions' interests, Admiral Turner went on to surreal applications of his comparison.

First, he said reporters should not print the leaks of wrongdoing in government by whistle blowers. That, he argued fuzzily, would be like having the government compel the press to reveal its sources. But confidentiality between newsmen and sources in no way resembles the silencing of criticism by all government employees. If Mr. Turner's rule were applied, criticism of our government would be as impossible as the criticism of Russia's government by its employees. Yet Mr. Turner tortuously advocates this ideal in the name of a free press and the First Amendment.

Mr. Turner also compared cases where a prosecutor drops charges, to keep intelligence work secret, with Myron Farber's refusal to give up his notes to a judge for fear of revealing his sources. He saw "nothing different" in the two cases. Once again, the comparison is faulty on many grounds. If the Farber case had led to dismissal of charges, or to a conviction where it seemed the defendant was deprived of a fair trial, many people would have joined that considerable part of the press itself that thinks Mr. Farber's action was not covered by the First Amendment.

Yet even if Mr. Farber was right, his act has no important resemblance to the government's refusal to press charges where that might embarrass the government itself. That refusal, not always admirable, resembles the exercise of prosecutorial discretion. If prosecution would harm the public, be too doubtful or defensive or embarrassing, the government can keep things hidden by letting a man escape trial and possible punishment.

Mr. Farber protected his sources to publish facts, to help bring acts to light—a course that led to trial and public airing of much evidence. It takes the convolutions of a spy mentality to equate the hiding of information with its dissemination. That is why the spy mentality is so dangerous in a free society. Admiral Turner's appearance before the Press Club illustrates the way CIA attempts to ward off threats to our freedom become, themselves, a threat to that freedom.